# UNITED STATES DISTRICT COURT DISTRICT OF RHODE ISLAND

RHODE ISLAND LATINO ARTS, NATIONAL QUEER THEATER, THE THEATER OFFENSIVE, and THEATRE COMMUNICATIONS GROUP,

Case No.

Plaintiffs,

v.

NATIONAL ENDOWMENT FOR THE ARTS, and MARY ANNE CARTER, in her official capacity as Acting Chair of the National Endowment for the Arts,

Defendants.

### **DECLARATION OF VERA EIDELMAN**

- I, Vera Eidelman, declare as follows:
- 1. I am a Senior Staff Attorney with the American Civil Liberties Union Foundation and counsel for Plaintiffs in the above-captioned action. I submit this declaration in support of Plaintiffs' Motion for Preliminary Injunction.
- 2. Attached as Exhibit 1 is a true and correct copy of a document issued by the National Endowment for the Arts ("NEA") with the title "Notice of Funding Opportunity: FY26 Grants for Arts Projects (GAP), Grant Program Details," dated February 2025, available at https://www.arts.gov/sites/default/files/FY26-GAP-Grant-Program-Details-FebRevFinal4.pdf.
- 3. Attached as Exhibit 2 is a true and correct copy of a webpage published by the NEA with the title "Legal Requirements and Assurance of Compliance," available at https://www.arts.gov/grants/legal-requirements-and-assurance-of-compliance.

- 4. Attached as Exhibit 3 is a true and correct copy of a press release published by the NEA with the title, "National Endowment for the Arts Supports the Arts with Nearly \$36.8 Million in Funding Nationwide," dated January 14, 2025, available at https://www.arts.gov/news/press-releases/2025/national-endowment-arts-supports-arts-nearly-368-million-funding-nationwide.
- 5. Attached as Exhibit 4 is a true and correct copy of a press release published by the NEA with the title, "Updates on National Endowment for the Arts FY 2026 Grant Opportunities," dated February 6, 2025, available at https://www.arts.gov/news/press-releases/2025/updates-national-endowment-arts-fy-2026-grant-opportunities.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 5, 2025.

Vera Eidelman

# **EXHIBIT 1**

# **National Endowment for the Arts**

Notice of Funding Opportunity: FY26 Grants for Arts Projects (GAP) Grant Program Details

# **Table of Contents**

Click a heading below to jump directly to that section

Grants for Arts Projects	4
Basic Information	4
Executive Summary	4
Grants for Arts Projects Program Description	6
Program Goals and Objectives	6
Projects	6
We Encourage	6
Period of Performance	7
Legal Requirements and Assurance of Compliance	8
Nondiscrimination Policies	8
Accessibility	8
National Historic Preservation Act and National Environmental Policy Act	Review8
Subject Matter	9
Authorizing Statute	9
Program Description: Artistic Disciplines	10
Choosing the Right Discipline for Educational Projects	11
Program Description: Unallowable Activities/Costs	13
Unallowable Activities	13
Certain Unallowable Costs	14
Eligibility	15
"Friends of" and Other Affiliated Fundraising Organizations	16
Elementary and Secondary Schools	16
Fiscal Sponsorship	16
Cost Sharing/Matching Requirement	17
Eligibility: Application Limits	18
Applications to other NEA funding categories:	18

Exception: Parent Organizations with Independent Components (IC)	18
Independent Component (IC) Eligibility	18
Award Amounts & Cost Share/Matching	20
Award Amounts	20
Cost Share and Matching Funds	20
Application Contents & Format	<b>2</b> 1
Application Instructions	21
Applications Recommended for Funding	21
Submission Requirements & Deadlines	22
Pre-Application Required Registrations	22
Submission Methods	22
Contact Information	22
Application Submission Dates & Times	23
Exceptions to the Submission Deadlines	23
Intergovernmental Review	24
Application Review	25
Review Criteria	25
Review & Selection Process	25
Risk Review	26
Award Notices	27
Final Reports for Previous Awards	27
Post-Award Requirements and Administration	28
General Terms & Conditions	28
Implementation of Title 2 CFR Part 200 Uniform Administrative Requirements, Co Principles, and Audit Requirements for Federal Awards	
Crediting Requirement	28
Changes in Projects	28
Accessibility	29
National Historic Preservation Act and/or the National Environmental Policy Act Rev	iew 30
Project Reporting and Evaluation	30
Responsible Conduct of Program Evaluation and Research	31
Legal Requirements and Assurance of Compliance	31
Civil Rights	32

Published February 2025

F	requently Asked Questions	34
	Paperwork Reduction Act Statement	. 33
	Standards for Service	. 33
	Freedom of Information Act (FOIA) Notice	. 33
	Regulations Relating to Lobbying	32

### Access for individuals with disabilities:

Contact the Office of Accessibility at 202-682-5532 / <u>accessibility@arts.gov</u> or the Office of Civil Rights at <u>civilrights@arts.gov</u> to request an accommodation or an alternate format of the guidelines at least 2 weeks prior to the application deadline.

# **Grants for Arts Projects**

# **Basic Information**

Federal Agency Name	National Endowment for the Arts	
Funding Opportunity Title Grants for Arts Projects		
Announcement Type	Modification of previous announcement	
Funding Opportunity Number(s)	March: 2025NEA01GAP1MARCH July: 2025NEA01GAP2	
Assistance Listing Number(s)	45.024	
Agency Contact Information	GAP Contacts Page	

Details in the chart below are estimates. Actual figures may vary.

FUNDING DETAILS	AMOUNT (Contingent upon availability of funds)
Total amount of funding expected to award	\$62,245,000
Anticipated number of applications	4,500
Anticipated number of awards	2,075
Expected dollar value of awards (range)	All Applicants: \$10,000-\$100,000 Local Arts Agencies Subgranting Projects: \$30,000-\$150,000

# **Executive Summary**

Grants for Arts Projects (GAP) provides project-based funding for organizations in the areas of Artist Communities, Arts Education, Dance, Design, Film & Media Arts, Folk & Traditional Arts, Literary Arts, Local Arts Agencies, Museums, Music, Musical Theater, Opera, Presenting & Multidisciplinary Works, Theater, and Visual Arts. Funded activities may include public engagement with the arts and arts education, the integration of the arts with strategies promoting the health and well-being of people and communities, and the improvement of overall capacity and capabilities within the arts sector. Awards require a 1:1 cost share/match.

Eligible applicants include: nonprofit, tax-exempt 501(c)(3), U.S. organizations; units of state or local government; and Federally recognized tribal communities or tribes. Funding in this category is *not available* for individuals, fiscally sponsored entities, commercial/for-profit enterprises, State Arts Agencies (SAA), or Regional Arts Organizations (RAO).

Applications are evaluated based on the published Review Criteria.

Basic Information

### COMPONENTS OF THIS NOTICE OF FUNDING OPPORTUNITY (NOFO):

- GAP GRANT PROGRAM DETAILS (this document): Essential information about GAP, including a grant program description, unallowable activities and costs, eligibility, review criteria, award amount and cost sharing, and post-award requirements and administration, among others.
- **APPLICATION INSTRUCTIONS DOCUMENT**: Navigate to the Application Instructions section on the <u>GAP webpage</u> for complete information on application requirements and instructions on how to apply. Select the discipline that is most relevant to your project activities. Each instructions document also includes a detailed description for the discipline area, accepted project types, and characteristics of competitive proposals.

#### **KEY DATES:**

Applying for and managing a federal grant is a significant undertaking and the process is competitive. We estimate that after completing the required registrations, which can take several weeks to finalize, the process to draft and submit an application will take approximately 26 hours.

Step	March Cycle (GAP1)	July Cycle (GAP2)
Grant Program Details and Application Instructions Published	February 2025	February 2025
Part 1 Application Package Available on Grants.gov	February 2025	Mid-May 2025
Part 1 Grants.gov Submission deadline	March 11, 2025 11:59 pm ET	July 10, 2025 11:59 pm ET
Part 2 NEA Applicant Portal Opens to applicants	March 14, 2025 9:00 am ET	July 15, 2025 9:00 am ET
Part 2 NEA Applicant Portal Submission deadline	March 24, 2025 11:59 pm ET	July 22, 2025 11:59 pm ET
Notification of recommended funding or rejection	December 2025	Early to mid April 2026
Earliest project start date	January 1, 2026	June 1, 2026

Program Description

# **Grants for Arts Projects Program Description**

# **Program Goals and Objectives**

The National Endowment for the Arts is committed to supporting excellent arts projects for the benefit of all Americans. Through project-based funding, Grants for Arts Projects (GAP) supports an expansive range of arts activities. These activities may include opportunities for public engagement with the arts and arts education, for the integration of the arts with strategies promoting the health and well-being of people and communities, and for the improvement of overall capacity and capabilities within the arts sector.

### **Projects**

We fund arts projects with specific, definable activities in the following disciplines: Artist Communities, Arts Education, Dance, Design, Film & Media Arts, Folk & Traditional Arts, Literary Arts, Local Arts Agencies, Museums, Music, Musical Theater, Opera, Presenting & Multidisciplinary Works, Theater, and Visual Arts. **Go to** <u>Artistic Disciplines</u> **on page 10 for additional information.** 

Projects may be small, medium, or large, and may take place in any part of the nation's 50 states, the District of Columbia, and U.S. jurisdictions. A project may consist of one or more specific events or activities; it may be a new initiative or part of your organization's regular season or activities. Organizations that undertake a single short-term program in a year may apply for that event, or may choose to identify certain components of that program as their project. Organizations may apply for any or all phases of a project, from planning through implementation. A project should not encompass all an organization's activities or costs in a given year. The NEA does not fund general operating support or a full season of programming.

We welcome applications from first-time and returning applicants; from organizations serving rural, urban, suburban, and tribal communities of all sizes; and from organizations with small, medium, or large operating budgets.

Projects are evaluated according to the <u>Review Criteria</u> on page 25. Applicants should keep these in mind while developing their application materials.

### We Encourage

We encourage arts projects in any of the following areas, including activities that:

 Celebrate the nation's rich artistic heritage and creativity by honoring the semiquincentennial of the United States of America (America250). Project activities may focus exclusively on celebrating the anniversary, or they may incorporate a special America250-related component or focus within a larger project. For example, projects could examine the work of American artists, present or create art recognizing this

**Program Description** 

important milestone, or undertake educational activities or related programming. See the <u>FAQ section</u> for more information.

- Originate from or are in collaboration with the following:
  - Historically Black Colleges and Universities
  - o Tribal Colleges and Universities
  - o American Indian and Alaska Native tribes
  - Hispanic Serving Institutions
  - o Asian American and Pacific Islander communities, and
  - o Organizations that support the independence of people with disabilities.
- Support the health and well-being of people and communities through the arts.
- Support existing and new technology-centered creative practices across all artistic disciplines and forms, including work that explores or reflects on the impacts of artificial intelligence (AI) in ways that are consistent with valuing human artistry and improve the public's awareness and understanding of the use of AI.

### **Period of Performance**

NEA support of a project (i.e., "Earliest Start Date") can begin no sooner than:

- January 1, 2026 (for applicants to the March cycle, "GAP1"), or
- June 1, 2026 (for applicants to the July cycle "GAP2").

Grants awarded in this program generally may cover a period of performance of up to two years. The two-year period is intended to allow an applicant time to plan, execute, and close out its project, not to repeat a one-year project for a second year.

No pre-award costs are allowable in the Project Budget. A recipient may not receive more than one NEA award or other federal funding for the same activities/costs during the same period of performance.

Program Description

## Legal Requirements and Assurance of Compliance

The <u>Legal Requirements</u> section on our website provides information about key legal requirements that may apply to an applicant or recipient. It is not an exhaustive list, more details may be found in Appendix A of the <u>General Terms and Conditions</u>.

By signing and submitting the application form on Grants.gov, the Applicant certifies that it is in compliance with the statutes outlined in the <u>Assurance of Compliance</u> and all related National Endowment for the Arts regulations as well as all applicable executive orders, and that it will maintain records and submit the reports that are necessary to determine its compliance.

It is ultimately your responsibility to ensure that you are compliant with all legal, regulatory, and policy requirements applicable to your award.

### **Nondiscrimination Policies**

Projects may reach a particular group or demographic (such as sex, disability, economic status, race, color, or national origin, including limited English proficiency), however, projects may not be exclusionary under Federal civil rights laws and policies prohibiting discrimination. This nondiscrimination requirement extends to hiring practices, artist selection processes, and audience engagement. Your application should make it clear that project activities are not exclusionary. Please review the <u>Assurance of Compliance</u>, which outlines the relevant federal statutes, NEA regulations, and executive orders.

### **Accessibility**

Federal regulations require that all NEA-funded projects be accessible to people with disabilities. Individuals with disabilities may be artists, performers, audiences, visitors, teaching artists, students, staff, and volunteers. Funded activities should be held in a physically accessible venue, and program access and effective communication should be provided for participants and audience members with disabilities. If your project is recommended for funding, you will be asked to provide <u>detailed information</u> describing how you will make your project physically and programmatically accessible to people with disabilities.

### National Historic Preservation Act and National Environmental Policy Act Review

Recommended projects are subject to the <u>National Historic Preservation Act</u> (NHPA) and/or the <u>National Environmental Policy Act</u> (NEPA) compliance review.

Some of the common project types requiring a review are:

- Projects involving a building over 50 years old. This also includes structures such as bridges; or objects such as sculptures; or a landscape that is historically significant.
- The commissioning and installation of temporary or permanent outdoor artworks or structures, such as: sculptures, statues, murals, or permanent signs.

**Program Description** 

- Outdoor arts/music festivals or activities requiring ground disturbance.
- Maintenance or rehabilitation of landscapes and gardens.
- Design services and planning for projects that may affect historic properties.

See more information about NHPA/NEPA review under <u>Post-Award Requirements and Administration</u>.

### **Subject Matter**

Per the NEA's legislation, projects or programs that are determined to be obscene are without artistic merit and shall not be funded. 20 USC 952(j)-(l); 20 USC 954(d),(l).

### **Authorizing Statute**

The NEA offers this funding opportunity under the authority of 20 U.S.C. § 954.

Program Description: Artistic Disciplines

# **Program Description: Artistic Disciplines**

We fund arts projects through 15 different subcategories, based on artistic discipline or field, which we broadly refer to as "disciplines." Applicants apply to a specific discipline area. In the Instructions documents found on the <u>GAP webpage</u>, each discipline has outlined the types of projects they encourage, and guidance on characteristics of competitive proposals.

Select the discipline that most closely aligns with your project activities. The short descriptions on this page offer an overview; however, applicants should review the full discipline description before applying. Contact us if you have any questions about which discipline is most appropriate for your project.

Discipline	Summary
Artist Communities	Artist residencies that provide dedicated space, time, and resources to artists for the creation or development of new work.
Arts Education  Projects for pre-K-12 students, the educators and artists who support them, and the schools and communities that serve to (see below for more guidance on selecting the right discipling for educational projects).	
Dance	Projects in all genres of dance, including creation of work, presentation and touring, residencies, archive/preservation of dance, services to the field, and education projects.
Design	Projects including architecture, communications and graphic design, fashion design, historic preservation, industrial and product design, interior design, accessible design, landscape architecture, rural design, social impact design, and urban design.
Film & Media Arts	Artist support programs, public engagement activities, and services to the field focused on film, cinema, audio, broadcast, creative code and computation, interactive media, and emergent practices at the intersection of arts and digital technology.
Folk & Traditional Arts	Project activities in folk and traditional arts, including culturally- or community-centered artistic traditions, represented by a wide range of genres including, but not limited to, music, dance, crafts, foodways, dress/adornment, occupation, ceremony, and oral expression, such as stories, poetry, and language.
Literary Arts	Projects supporting publishing, distribution, and/or promotion of literary content, as well as literary arts programming and services to the field.

Discipline	Summary	
Local Arts Agencies	Projects by arts commissions, arts councils, or departments of cultural affairs; national or statewide service organizations partnering with local arts agencies; and arts projects by local government and special districts.	
Museums	Museums projects including exhibitions, care of collections, conservation, commissions, public art works, community engagement, and education activities.	
Music	Music and music presentation projects in all genres including classical, contemporary, and jazz.	
Musical Theater	Musical theater and musical theater presentation projects.	
Opera	Opera and opera presentation projects.	
Presenting & Multidisciplinary Works	Projects presenting works from across disciplines, multidisciplinary works, and/or interdisciplinary artists.	
Theater	Theater and theater presentation projects.	
Visual Arts	Projects supporting visual artists and projects in all visual arts mediums.	

In limited cases, and in consultation with the applicant, NEA staff may transfer an application to a discipline other than the one selected by the applicant to ensure appropriate panel review. However, we cannot guarantee that an application will be transferred in all cases where this might be desirable.

# Choosing the Right Discipline for Educational Projects

All GAP disciplines welcome educational projects. The Arts Education discipline is specifically geared toward pre-K-12 students (Direct Learning), the educators and artists who support them (Professional Development), and the schools and communities that serve them (Collective Impact). Projects submitted to Arts Education must incorporate robust measures to assess student and/or teacher learning in arts education. Assessment of student learning should align with state or <u>national arts standards</u>.

Projects for short-term arts enrichment or exposure to the arts for youth, adults, and intergenerational audiences are welcome in the other disciplines. Applicants should select the discipline that most closely matches their project activities.

Arts events in all disciplines may be accompanied by ancillary learning activities (e.g., study guides for teachers and students, artists' visits prior to or following the event, workshops,

GAP FY26 Grant Program Details Program Description: Artistic Disciplines

lecture-demonstrations, or master classes).

### Select the **Arts Education** discipline for:

- Pre-K through 12th grade Direct Learning or Professional Development projects that align
  with either national or state arts education standards, and include robust student
  and/or teacher assessment.
- Collective Impact projects intended to transform schools and communities by providing access and engagement in the arts to students through collective, systemic approaches.
- Projects from Local Arts Agencies proposing a Collective Impact project.

#### Select one of the **other disciplines** for:

- Youth programs with a focus on exposure to or appreciation of the arts—including
  activities that take place in school, after school, during the summer, or in community
  settings. Such projects may include the work of professional artists and/or teaching
  artists.
- Youth programs that do not include robust student assessment.
- Programs serving adults and intergenerational groups.

Be sure to review the discipline description and project types found in the Instructions document (found under the Application Instructions section of the <u>GAP webpage</u>) to confirm that your educational project is an appropriate fit.

Unallowable Activities/Costs

# **Program Description: Unallowable Activities/Costs**

The activities and costs listed below are **not** allowable and must not be included as part of your project activities or budget. This includes activities/costs covered by cost share/matching funds. Applicants should carefully review the <u>General Terms and Conditions</u> (GTC) for additional information about allowable and unallowable costs.

### **Unallowable Activities**

- General operating support, or support for a full season of programming.
- Direct grants to individuals.
- Direct grants to individual elementary or secondary schools charter, private, or public, or booster clubs and similar organizations dedicated to supporting individual elementary or secondary schools. See <u>Eligibility</u> on page 16 for more information.
- Projects that replace or supplant arts instruction provided by an arts specialist.
- Generally, courses/coursework in degree-granting institutions.
- Literary publishing that does not focus on contemporary literature and/or writers.
- Generally, publication of books, exhibition of works, or other projects by the applicant organization's board members, faculty, or trustees.
- Generally, exhibitions of, and other projects that primarily involve, single, individuallyowned, private collections.
- Projects for which no curatorial, juried, or editorial judgment has been applied to the selection of artists or art works.
- Costs of entertainment, including amusement, diversion, and social activities such as receptions, parties, galas, community dinners, picnics, and potlucks. Generally, this also includes activities at venues such as bars, wineries, and breweries where the consumption of alcohol/social activity is the primary purpose of the venue.
- Awards to individuals or organizations to honor or recognize achievement.
- Commercial (for-profit) enterprises or activities, including arts markets, concessions, food, T-shirts, artwork, or other items for resale. This includes online or virtual sales/shops.
- Lobbying, including activities intended to influence the outcome of elections or influence government officials regarding pending legislation, either directly or through specific lobbying appeals to the public.
- Voter registration drives and related activities.
- Construction, purchase, or renovation of facilities or the purchase of land. Design fees, preparing space for an exhibit, installation or de-installation of art, and community planning are allowable.
- <u>Subgranting or regranting</u>, except for local arts agencies that meet the NEA's eligibility criteria for subgranting. Local arts agencies may not subgrant to individuals.

### **Certain Unallowable Costs**

- Cash reserves and endowments.
- Costs for the creation of new organizations.
- Costs to bring a project into compliance with federal grant requirements. This includes
  environmental or historical assessments or reviews and the hiring of individuals to write
  assessments or reviews or to otherwise comply with the National Environmental Policy
  Act and/or the National Historic Preservation Act.
- Expenditures related to compensation to foreign nationals and/or travel to or from foreign countries when those expenditures are not in compliance with regulations issued by the <u>U.S. Treasury Department Office of Foreign Assets Control</u>. For further information, contact our Office of Grants Management at grants@arts.gov.
- Project costs supported by any other federal funding. This includes federal funding
  received either directly from a federal agency (e.g., National Endowment for the
  Humanities, Housing and Urban Development, National Science Foundation, or an entity
  that receives federal appropriations such as the Corporation for Public Broadcasting or
  Amtrak); or indirectly from a pass-through organization such as a state arts agency,
  regional arts organization, or a grant made to another entity.
- Alcoholic beverages.
- Purchase and/or use of gift cards, gift certificates, or other cash equivalents to support project costs.
- Gifts and prizes, including cash prizes as well as other items (e.g., electronic devices, gift certificates) with monetary value.
- Stipends/fees to individuals who are incarcerated.
- Contributions and donations to other entities, including donation drives.
- General miscellaneous or contingency costs.
- Fines and penalties, bad debt costs, deficit reduction.
- Marketing expenses that are not directly related to the project.
- Audit costs that are not directly related to a single audit (formerly known as an A-133 audit).
- Rental costs for home office workspace owned by individuals or entities affiliated with the applicant organization.
- The purchase of vehicles.
- Visa costs paid to the U.S. government.
- Costs incurred outside of the approved period of performance.

# **Eligibility**

Applicants may be arts organizations, local arts agencies, arts service organizations, local education agencies (school districts), and other organizations that can help advance the NEA's mission.

#### **ELIGIBLE**

### The following are eligible to apply:

- Nonprofit, tax-exempt 501(c)(3), U.S. organizations;
- Units of state or local government; and
- Federally recognized tribal communities or tribes.

### To be eligible, the applicant organization must:

- Meet the NEA's <u>Legal Requirements</u> including non-profit, tax-exempt status at the time of application.
- Have an active registration with the <u>System for Award Management</u> (SAM), and have a Unique Entity Identifier (UEI), at the time of application. Applicants must maintain an active SAM registration until the application process is complete and throughout the life of an award.
- Have completed a five-year history of arts programming prior to the application deadline.
  - o Applicants will provide examples of previous arts programming in the application:
    - Arts programming may have taken place prior to when the organization incorporated or received non-profit, tax-exempt status.
    - If arts programming was suspended due to the pandemic, you may include examples that occurred in 2018 or 2019 to meet the five-year requirement. Do not include examples prior to 2018. Virtual programming is acceptable.
    - Organizations that previously operated as a program of another institution may include arts programming it carried out while part of that institution.
  - For applicants to the March 2025 GAP1 cycle, programming must have started in or before March 2020.
  - For applicants to the July 2025 GAP2 cycle, programming must have started in or before July 2020.

### **NOT ELIGIBLE**

### The following are **not eligible** to apply:

- Individuals;
- Commercial and for-profit enterprises;
- Applications using a fiscal sponsor/agent (organizations must apply directly on their own behalf); and
- State and jurisdictional arts agencies (SAAs), and Regional Arts Organizations (RAOs).
   SAAs and RAOs may serve as partners in projects; however, they may not receive NEA funds through GAP.

### #: 10

Eligibility

# "Friends of" and Other Affiliated Fundraising Organizations

An organization whose primary purpose is to channel resources (financial, human, or other) to an affiliated organization may only apply if the affiliated organization does not submit its own application. This prohibition applies even if each organization has its own 501(c)(3) status. For example, the "Friends of ABC Museum" may not apply if the ABC Museum applies. Fiscally sponsored organizations and projects are not eligible for NEA funding, see more information about Fiscal Sponsors below.

# **Elementary and Secondary Schools**

Individual elementary or secondary schools - charter, private, or public, **are not eligible** to apply. Booster clubs and similar organizations dedicated to supporting individual elementary or secondary schools **are not eligible** to apply. Schools may participate as partners in an eligible organization's project.

Local education agencies (LEAs), school districts, and state and regional education agencies **are eligible to apply**. If a single school also is a local education agency, as is the case with some charter schools, the school may submit documentation that supports its status as a local education agency.

### Fiscal Sponsorship

Fiscally sponsored organizations and projects are not eligible for NEA funding. An organization or individual **may not** use a fiscal sponsor/agent for the purpose of applying. The NEA does not fund unincorporated or for-profit entities or individuals that use non-profit, tax-exempt 501(c)(3) U.S. organizations; units of state or local government; or federally recognized tribal communities or tribes to apply for grants on their behalf.

If your organization does not have its own non-profit status, you may still participate in a project submitted by another eligible organization, but you may not submit your own application.

An organization that provides fiscal sponsor/agent services that otherwise meets the eligibility criteria above may apply for its own programs and projects. In this case, the organization must clearly demonstrate that it is applying only for its own programmatic activities.

### What is a fiscal sponsor/agent?

A fiscal sponsor/agent is an entity that oversees the fiscal activities of another organization, company, or group of independent artists or projects. These activities may include bookkeeping, filing of W2s or 1099s, daily banking, or grant preparation.

An application must demonstrate the active involvement of the applicant organization in the proposed project activities. This might include:

Eligibility

- Producing or co-producing.
- Partnering on creative direction or development.
- Organizing workshops, public showings, or distribution of work.
- Providing social networking strategies or web implementation.

The NEA may review your website and other materials in addition to your application to determine the eligibility of the application.

# **Cost Sharing/Matching Requirement**

Applications that do not include a project budget meeting the *minimum* requirements of at least a \$10,000 NEA funding request, a \$10,000 cost share/match, and \$20,000 in total project expenses will be deemed ineligible and not be reviewed. See <u>Award Amounts and Cost Share Matching</u> on page 20 for more information related to cost share/matching requirements.

Eligibility: Application Limits

# **Eligibility: Application Limits**

An organization may submit only one application to the FY 2026 Grants for Arts Projects program (i.e., one application per calendar year), with limited exceptions.

## Applications to other NEA funding categories:

- An organization may not apply to both the Grants for Arts Projects category and the Our Town category in the same calendar year.
- An organization may apply to the NEA's <u>Research Awards</u> program in addition to Grants for Arts Projects. If you submit applications to other opportunities, each request must be for a distinctly different project (with different activities and costs), or a distinctly different phase of the same project, with a different period of performance and costs.

If you have other NEA awards with activities and/or periods of performance that will overlap with your proposed Grants for Arts project, please contact NEA staff for guidance to ensure that the projects are different or for a distinctly different phase of a project.

Project participants such as individuals (project staff or artists) or partner organizations may participate in more than one application if there is no overlap in proposed costs or activities.

## **Exception: Parent Organizations with Independent Components (IC)**

Exceptions to the one-application rule are made only for parent organizations that have separately identifiable and independent components (e.g., a university campus that has a presenting organization and a radio station).

A parent organization may apply for each eligible component. In addition, a parent organization also may submit one application on its own behalf for a **project that is different from any project submitted in an application by its independent component(s)**.

The application for the independent component must be for a project of the component. For example, if a university campus applies for its art museum as an independent component, the project must be for the art museum. The art museum cannot be used as a passthrough entity for projects from other areas of the university, nor can the university's own application be a submission to support a second art museum project.

### Independent Component (IC) Eligibility

An eligible IC must be a unit that is both programmatically and administratively distinct from the parent organization. To qualify it should be equivalent to a stand-alone institution. The independent status is demonstrated by the component's:

- Unique mission, separate and distinct from the parent entity;
- Separate, dedicated staff, with duties specific to the mission of the component;

Eligibility: Application Limits

### **GAP FY26 Grant Program Details**

 Independent board, mostly consisting of members not associated with the parent entity (the board should generally function with substantial oversight and management of the component);

- Separate budget, maintained by the component; and
- Five-year history of arts programming undertaken by the component.

A parent organization should consult with <u>NEA staff</u> to verify the eligibility of the component before preparing an application. If an application is submitted by a parent organization on behalf of a component that the NEA determines does not to meet the eligibility criteria for an IC, that application may be marked ineligible, unless the parent applicant has not submitted any other applications in the same calendar year.

### The following do not qualify as eligible ICs:

- Academic departments of colleges and universities.
- Programs, initiatives, and projects of organizations.
- Collaboratives or consortiums of multiple organizations.

### For example:

- Eligible IC: An art museum on a university campus serves the general public and does not grant degrees. The museum board, not the university trustees, manages the museum's budget, staff, and programming. In this example, the art museum essentially is a standalone organization and qualifies as an independent component.
- Ineligible IC: A symphony association sponsors a youth orchestra in addition to its
  professional orchestra. Some symphony musicians serve as faculty for the youth
  orchestra; there is some overlap of membership between the symphony trustees and the
  youth orchestra's advisory board; and the executive director for the symphony association
  serves as CEO for both the professional and youth orchestras. In this case the youth
  orchestra is not equivalent to a separate institution and therefore does not qualify as an
  independent component.

The parent organization must meet the eligibility requirements for all applicants. An affiliated organization that performs grant administration duties for a parent organization (e.g., a college foundation that administers grants awarded to a college and its components) may submit applications for components and the parent organization in lieu of such applications being submitted by the parent. The affiliated organization must meet the eligibility requirements for all applicants.

Award Amounts & Cost Share/Matching

# Award Amounts & Cost Share/Matching

All funded projects must adhere to federal rules and regulations. Familiarize yourself with the requirements of managing a federal grant by reviewing the <u>Post-Award Requirements and Administration</u> section of this document, as well as the General Terms and Conditions and reporting requirements found in <u>Manage Your Award</u>.

### **Award Amounts**

Awards range from \$10,000 to \$100,000.

Designated local arts agencies eligible to subgrant may request from \$30,000 to \$150,000 for subgranting in the Local Arts Agencies discipline. Additional eligibility, documentation, and reporting requirements for subgranting applications are detailed in the Local Arts Agencies Instructions document (found under the *Application Instructions* section of the GAP webpage).

In developing an application, we urge all applicants to consider the funding level of <u>recent</u> <u>awards</u> and to request a realistic award amount.

The NEA reserves the right to limit support of a project to a particular portion(s) or cost(s).

Applicants whose recommended funding amount is less than the amount requested in the application will have the opportunity to revise the project's budget and/or scope to reflect any necessary changes to the project's activities.

# **Cost Share and Matching Funds**

All awards require a nonfederal cost share/match of at least 1 to 1. For example, if an organization receives a \$10,000 award, the total project costs must be at least \$20,000, and the organization must provide at least \$10,000 toward the project costs from nonfederal sources. NEA funding cannot exceed 50% of the total cost of the project.

Cost share/matching funds cannot include other federal funds from the NEA or other federal entities; including federal funds subgranted through State Arts Agencies, Regional Arts Organizations, or Local Arts Agencies.

Cost share/matching funds do not need to be committed at the time of application, but applicants will be asked to provide potential sources of funding in the project budget section of the application.

Application Contents & Formatting

# **Application Contents & Format**

Applying is a multi-step process. We estimate that after registering, the process to draft and submit an application takes approximately 26 hours.

## **Application Instructions**

A detailed instructions document outlining how to complete and submit both parts of the application, including *all application questions and requirements*, can be found on the <u>GAP</u> <u>webpage</u>, under the Application Instructions section.

### Registration

Before applying, applicants must finalize required registrations detailed on the next page. All three required registrations must be active to submit Part 1 of the application through Grants.gov.

### Application Part 1, Grants.gov

Part 1 of the application is submitted through Grants.gov. All applicants must submit the "Application for Federal Domestic Assistance/Short Organization Form." This is a brief form that will collect basic information about your organization.

A direct link to the Part 1 Grants.gov Opportunity Package where you will complete this form, is included on the GAP webpage under How to Apply. You must successfully submit Part 1 to continue to Part 2.

### Application Part 2, NEA Applicant Portal

Part 2 of the application is submitted via the NEA's <u>Applicant Portal</u>. This is a separate website from Grants.gov.

All applicants must complete the "Grant Application Form (GAF)" and upload items through the portal. Information is submitted via a web form where you will enter the majority of your application material, including information about your organization's history and budget, and project details including a project description, timeline, budget information, and work samples.

# **Applications Recommended for Funding**

Applicants whose projects are recommended for funding must submit additional information, which may include: a project activity update, a revised project budget, an accessibility form, and if required by your project activities, information about compliance with the National Historic Preservation Act and/or the National Environmental Policy Act.

See <u>Post-Award Requirements and Administration</u> for more information on Accessibility and NEPA/NHPA compliance, as well as other information about award management.

Submission Requirements & Deadlines

# **Submission Requirements & Deadlines**

## **Pre-Application Required Registrations**

Before applying, all applicants must register with <u>Login.gov</u>, <u>Grants.gov</u>, and the System for Award Management (SAM) at <u>SAM.gov</u>. Applicants must provide a valid unique entity identifier (UEI) in their application; and continue to maintain an active SAM.gov registration with current entity information at all times during which it has an active Federal award or an application or plan under consideration by a Federal agency. All three required registrations must be active to submit Part 1 of the application through Grants.gov.

Returning applicants must renew or verify that their registrations are up to date prior to the application deadline.

Registering and maintaining accounts with Login.gov, SAM, and Grants.gov is always FREE.

The **Registration Guidance document** available on the <u>GAP webpage</u> provides detailed information about the registration process, including links to each registration site, and support resources.

### **Submission Methods**

Application materials must be submitted electronically. See Application Instructions on the previous page.

### **Contact Information**

For assistance with application requirements, contact NEA staff.

#### Login.gov, SAM, and Grants.gov Help

The NEA does not have access to your Login.gov, SAM, or Grants.gov accounts. If you have any questions about or need assistance with these sites, including questions regarding electronic accessibility, you must contact them directly:

- **Login.gov Help**: Call 1-844-875-6446, consult the information posted in their <u>Help Center</u>, or use their <u>online form</u> to submit a question.
- **SAM Federal Service Desk**: Call 1-866-606-8220 or see the information posted on the SAM website at <u>SAM Help</u>.
- Grants.gov Contact Center: Call 1-800-518-4726, email <a href="mailto:support@grants.gov">support@grants.gov</a>, or consult the information posted on the Grants.gov website at <a href="mailto:Support">Support</a>. The Grants.gov Contact Center is available 24 hours a day, 7 days a week.

Case 1:25-cv-00079-WES-PAS

# **Application Submission Dates & Times**

Step	March Cycle (GAP1) *	July Cycle (GAP2)
Grant Program Details and Application Instructions Published	February 2025	February 2025
Part 1 Application Package Available on Grants.gov	February 2025	Mid-May 2025
Part 1 Grants.gov Submission deadline	March 11, 2025 11:59 pm ET	July 10, 2025 11:59 pm ET
Part 2 NEA Applicant Portal Opens to applicants	March 14, 2025 9:00 am ET	July 15, 2025 9:00 am ET
Part 2 NEA Applicant Portal Submission deadline	March 24, 2025 11:59 pm ET	July 22, 2025 11:59 pm ET
Notification of recommended funding or rejection	December 2025	Early to mid April 2026
Earliest project start date	January 1, 2026	June 1, 2026

<sup>\*</sup>All Artist Communities and Design applicants must apply at the March 11, 2025, deadline.

Literary Arts accepts particular project types at each deadline; applicants should refer to the Literary Arts instructions to determine which deadline is appropriate for their proposal.

Please do not request the status of your application before the notification date that is listed above.

Late, ineligible, and incomplete applications will not be reviewed.

# **Exceptions to the Submission Deadlines**

Exceptions to the submission deadlines will be considered **only** for registration or renewal issues, or technical malfunctions that are the result of failures on the part of Login.gov, SAM, Grants.gov, or NEA systems, as determined by the NEA. To be considered for this exception, you must provide documentation of a Login.gov, SAM, Grants.gov, or NEA systems failure that prevented your submission by the deadline.

In the event of a major emergency (e.g., a hurricane or a Login.gov, SAM, Grants.gov, or NEA systems technological failure), the NEA Chair may adjust application deadlines for affected applicants. If a deadline is extended for any reason, an announcement will be posted on our website.

Submission Requirements & Deadlines

Exceptions to the deadline will not be considered for reasons such as:

- User error, including but not limited to, failing to register or apply on time, or failure to verify that your application was successfully submitted to Grants.gov and/or the Applicant Portal.
- Problems with computer systems or Internet access at the applicant organization.

#### Please note:

- Permission for late application submission cannot be granted in advance. If you feel you
  have a case for an exception, contact staff as soon as possible after the deadline with
  documentation of the issues you encountered.
- Applications submitted late or outside the Grants.gov system (e.g., an emailed SF-424) will not be processed, reviewed, or considered for funding.

## Intergovernmental Review

This funding opportunity is not subject to Intergovernmental Review of Federal Programs Executive Order 12372.

Application Review

# **Application Review**

### **Review Criteria**

Applications will be reviewed based on the criteria below, with equal weight assigned to artistic excellence and artistic merit. While proposals need not address each criterion marked "as applicable," applicants may consider all the criteria when developing their proposals.

**Proposals must be for arts projects with specific, definable activities.** The application may be rejected if it does not sufficiently describe the project activities.

For more information about how these criteria relate to a specific discipline, review the discipline-specific instructions and/or contact staff.

### **Artistic Excellence**

The **artistic excellence** of the project includes:

• The quality of the artists and other key individuals, works of art, organizations, arts education providers, artistic partners, and/or services involved in the project.

#### **Artistic Merit**

The **artistic merit** of the project includes:

- The value and appropriateness of the project to the organization's mission, artistic field, artists, audience, community, and/or constituency.
- The ability to carry out the project based on such factors as the appropriateness of the budget, clarity of the project activities, resources involved, and the qualifications of the project's personnel and/or partnerships.
- Clearly defined goals and/or proposed outcomes and an appropriate plan to determine if those goals and/or outcomes are met. This includes, where relevant, measures to assess student and/or teacher learning in arts education.
- Evidence of direct compensation to artists, makers, art collectives, and/or art workers.
- As applicable:
  - Engagement with individuals whose opportunities to experience and participate in the arts are limited by geography, ethnicity, economic status, or disability.

### **Review & Selection Process**

Applications are checked for completeness and eligibility by NEA staff. Eligible applications are evaluated according to the Review Criteria above, in closed session, by advisory panelists. Each panel comprises a group of arts experts and other individuals, including at least one knowledgeable layperson, with broad knowledge in the areas under review. Panels are convened virtually by discipline. Panel membership changes regularly. The panel recommends the projects to be supported, and the staff reconciles panel recommendations with the funds

Application Review

that are available. These recommendations are forwarded to the National Council on the Arts, where they are voted on in an open public session.

The National Council on the Arts makes recommendations to the NEA Chair.

The NEA Chair reviews the recommendations for grants in all funding categories and makes the final decision on all grant awards. Applicants are then notified of funding decisions.

### **Risk Review**

All recommended applications undergo a review to evaluate risk posed by the applicant prior to making a federal award. This may include past performance on grants, meeting reporting deadlines, compliance with terms and conditions, audit findings, etc.

**GAP FY26 Grant Program Details** 

Award Notices

### **Award Notices**

The notification date for your category on the <u>Application Calendar</u> tells you when we expect to announce award decisions.

Notifications are sent via email. Applicants recommended for funding will receive a preliminary congratulatory message, with a request for project and budget updates. Applicants not recommended for funding will receive a rejection notice via email.

The official award notification (i.e., a notice of action authorized by the NEA Office of Grants Management) is the only legal and valid confirmation of award. Receipt of your official award notification may take several months depending on a number of factors such as changes to your project, the number of awards to be processed, whether the NEA has its funding appropriation from Congress, etc. All NEA awards are contingent on active SAM registration. The NEA will not be able to issue an award if you have an expired SAM.gov registration on September 1 of the fiscal year listed on this funding opportunity.

### **Final Reports for Previous Awards**

Before the NEA issues any award, organizations must have submitted acceptable Final Report packages by the due date(s) for all previous NEA award(s).

Post Award Requirements and Administration

# Post-Award Requirements and Administration

### **General Terms & Conditions**

Federal government-wide and agency-specific requirements that relate to NEA awards are highlighted in our <u>General Terms & Conditions</u> (GTCs). The GTCs incorporate the adoption of 2 CFR Part 200 by reference. The document also explicitly identifies where the NEA has selected options offered in the regulation, such as budget waivers and requirements for use of program income. It also includes requirements for cost share funds, reporting requirements, amendment processes, and termination actions. **Recipients must review, understand, and comply with these requirements.** Failure to comply with the GTCs for an award may result in termination of an award, and/or returning funds to the NEA, among other consequences.

# Implementation of Title 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

The guidance under 2 CFR Part 200 from the federal government's Office of Management and Budget (OMB) establishes clarity and consistency of the pre- and post-award requirements applicable to federal award recipients. The NEA has adopted the OMB Guidance in <u>2 CFR part 200 under §3255.1 Adoption of 2 CFR Part 200</u>. The NEA's adoption of 2 CFR Part 200 gives regulatory effect to the OMB guidance, including any updates to it.

### **Crediting Requirement**

Recipients must clearly acknowledge NEA support of the project in their programs and related promotional material, including publications and websites. Additional acknowledgment requirements may be provided later. The NEA does not fund general operating support, so you must ensure that the NEA is only credited with funding the specific project, and not your entire organization or its operations.

# **Changes in Projects**

Pre-Award: Applicants must notify the NEA of any significant changes in their project that occur after applying. If the project or the organization's capacity to carry out the project changes significantly before an award is made, the NEA may revise or withdraw the funding recommendation.

Post-Award: Recipients are expected to carry out a project consistent with the project approved for funding by the NEA. If changes to the project are required, the recipient must request written approval from the Office of Grants Management, which is the only office authorized to amend or change an NEA award. Written and/or verbal approval of proposed project changes from any other NEA office does not constitute an approved change to an award. Detailed information is included in the NEA's General Terms & Conditions for Grants to Organizations.

# **Accessibility**

As outlined in the <u>Assurance of Compliance</u>, Section 504 of the Rehabilitation Act of 1973, and the NEA's implementing regulation, all NEA-funded projects are required to be accessible to people with disabilities. Individuals with disabilities may be artists, performers, audiences, visitors, teaching artists, students, staff, and volunteers. Funded activities must be held in a physically-accessible venue, and program access and effective communication must be provided for participants and audience members with disabilities.

If your project is recommended for funding, you will be asked to provide detailed information describing how you will make your project physically and programmatically accessible to people with disabilities:

- Buildings and facilities (including projects held in historic facilities) must be physically accessible. The following are some examples, but are not an exhaustive list:
  - Ground-level/no-step entry, ramped access, and/or elevators to project facilities and outdoor spaces;
  - Wheelchair-accessible box office, stage/backstage, meeting, and dressing rooms;
  - Wheelchair-accessible restrooms and water fountains;
  - o Directional signage for accessible entrances, restrooms, and other facilities; and
  - Accessible workspaces for employees.
- The programmatic activities must be accessible either as part of the funded activity or upon request, where relevant. The following are some examples, but they are not an exhaustive list:
  - Accommodations for performances, tours, virtually streamed events, conferences, and lectures, such as sign language interpretation, real-time captioning, and audio description;
  - Print materials in alternative formats, such as large-print brochures/labels/programs, braille, and electronic/digital formats;
  - Accessible and screen reader-compatible electronic materials, documents, websites, and virtual platforms, and alternative text for images;
  - Closed/open captioning and audio/visual description for video, film, television broadcasts, and virtual events;
  - Auxiliary aids and devices, such as assistive listening devices.

Costs associated with project-related programmatic accommodations, such as those listed above, may be included in an NEA grant budget. However, costs associated with physical construction or renovation expenses may not be included in the grant budget.

In accordance with the General Terms & Conditions, a Section 504 self-evaluation must be on file at your organization, and you must have a designated 504/accessibility coordinator on staff.

For technical assistance on how to make your project accessible, contact the Accessibility Office at <a href="mailto:accessibility@arts.gov">accessibility@arts.gov</a>, 202-682-5532; or the Civil Rights Office at <a href="mailto:civilrights@arts.gov">civilrights@arts.gov</a>, 202-682-5454; or see our online <a href="mailto:Accessibility Resources">Accessibility Resources</a>.

# National Historic Preservation Act and/or the National Environmental Policy Act Review

All awards are subject to review and compliance with the <u>National Historic Preservation Act</u> (NHPA) and the <u>National Environmental Policy Act</u> (NEPA). The NEA will conduct a review of your project to ensure that it is in compliance with NHPA/NEPA and other Federal environmental laws.

If you are recommended for an award which may have historic preservation or environmental concerns (NHPA/NEPA), you will be notified and asked to provide additional information. This review and approval process takes time to complete and may delay your project's start date, and/or our ability to release award funds, the NEA cannot release award funds until the NHPA/NEPA review is complete.

Once notified that additional NHPA/NEPA review is needed, be sure to include thorough and complete information for all project activities and locations, which will help expedite the review. If project activities and locations are not yet finalized, you must provide the timeline for determining project activities and locations as these details are required to complete the NHPA/NEPA review.

For projects requiring ground disturbance or impacting buildings over 50 years old, you may be instructed to continue the NHPA review with the appropriate State Historic Preservation Office (SHPO).

Some of the project types that may require additional information or SHPO review include:

- Projects involving a building over 50 years old. This also includes structures such as bridges; or objects such as sculptures; or a landscape that is historically significant.
- The commissioning and installation of temporary or permanent outdoor artworks or structures, such as: sculptures, statues, murals, or permanent signs.
- Outdoor arts/music festivals or activities requiring ground disturbance.
- Maintenance or rehabilitation of landscapes and gardens.
- Design services and planning for projects that may affect historic properties.

# **Project Reporting and Evaluation**

Before applying, carefully review the reporting requirements for the NEA's <u>Final Reports</u>. If you have any questions about the NEA's objectives or the required final reports, contact NEA staff.

All recipients are required at minimum to submit a Final Descriptive Report (FDR), a Federal Financial Report (FFR), and a Geographic Location of Project Activity Report (GEO) within 120 days of the end of the award's period of performance. The estimated time burden for completing final reports is 5 hours. Local Arts Agencies with awards for Subgranting projects are also required to submit a Subgrants report, with an additional time burden of 4.5 hours.

**GAP FY26 Grant Program Details** Post Award Requirements and Administration

Recipients of Arts Education Direct Learning awards will be required to describe the methods used to assess student learning.

You are required to maintain project source documentation, including financial records, for three years following submission of your final reports.

Beyond the required final reports for all recipients, some recipients may be asked to assist in the collection of additional information to help the NEA determine the degree to which agency objectives were achieved. You may be asked to share project accomplishments such as work samples, community action plans, cultural asset studies, programs, reviews, relevant news clippings, and playbills.

## Responsible Conduct of Program Evaluation and Research

NEA recipients should comply with all applicable laws and regulations governing the responsible conduct of research in the United States.

**NEA PROGRAM EVALUATION ETHICS REVIEW**: In limited cases, the NEA may conduct a review of your project prior to making an award if your project activities include *formal program* evaluation, research that involves directly collecting personal information from program participants, and/or activities involving vulnerable populations. Examples include activities that require program participants to provide sensitive and/or confidential information about themselves, and/or that involve systematic studies to assess a program's benefits for participants.

INFORMAL PROGRAM EVALUATION AND DATA COLLECTION FOR FINAL REPORTING: Many NEA-funded projects include informal evaluation, such as conducting anonymized surveys of program participants about their satisfaction with a program, or basic field observations of program participants such as counting the number of audience members or tickets sold. These types of activities are typically exempt from a program evaluation ethics review. Data collection activities related to completion of the <a href="Final Descriptive Report">Final Descriptive Report</a> (FDR) are exempt from a program evaluation ethics review.

**Questions:** Contact our Office of Research and Analysis (ORA) at <a href="mailto:research@arts.gov">research@arts.gov</a>. ORA has compiled <a href="mailto:Resources on Program Evaluation and Performance Measurement">Resources on Program Evaluation and Performance Measurement</a> to help applicants and awardees document the effectiveness and impact of their arts programs.

# Legal Requirements and Assurance of Compliance

The <u>Legal Requirements</u> section on our website provides information about key legal requirements that may apply to an applicant or recipient. It is not an exhaustive list; more details may be found in Appendix A of the <u>General Terms & Conditions</u>.

GAP FY26 Grant Program Details Post Award Requirements and Administration

By signing and submitting the application form on Grants.gov, the Applicant certifies that it is in compliance with the statutes outlined in the <u>Assurance of Compliance</u> and all related National Endowment for the Arts regulations as well as all applicable executive orders, and that it will maintain records and submit the reports that are necessary to determine its compliance.

It is ultimately your responsibility to ensure that you are compliant with all legal, regulatory, and policy requirements applicable to your award.

### **Civil Rights**

Projects may reach a particular group or demographic (such as sex, disability, economic status, race, color, or national origin, including limited English proficiency); however, projects may not be exclusionary under Federal civil rights laws and policies prohibiting discrimination. This nondiscrimination requirement extends to hiring practices, artist selection processes, and audience engagement. Your application should make it clear that project activities are not exclusionary. Please review the <a href="Assurance of Compliance">Assurance of Compliance</a> which outlines the relevant federal statutes, NEA regulations, and executive orders.

The NEA's Office of Civil Rights investigates complaints about compliance with accessibility standards as well as other federal civil rights statutes. For further information and copies of the nondiscrimination regulations identified above, contact the Office of Civil Rights at 202-682-5454 or <a href="mailto:civilrights@arts.gov">civilrights@arts.gov</a>. For inquiries about limited English proficiency, go to <a href="http://www.lep.gov">http://www.lep.gov</a>, or contact the Office of Civil Rights at 202-682-5454 or <a href="mailto:civilrights@arts.gov">civilrights@arts.gov</a>.

# **Regulations Relating to Lobbying**

For organizations applying for more than \$100,000 (31 U.S.C. 1352).

The applicant certifies that:

- a) It has not and will not use federal appropriated funds or cost share/matching funds to pay any person for influencing or attempting to influence an officer or employee of any agency, a member of a National Endowment for the Arts advisory panel or the National Council on the Arts, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of or modification to any federal grant or contract.
- b) If it has used or will use any funds other than federal appropriated funds to pay any person for influencing or attempting to influence any of the individuals specified above, the applicant:
  - i) Is not required to disclose that activity if that person is regularly employed by the applicant. (Regularly employed means working for at least 130 days within the year immediately preceding the submission of this application.)
  - ii) Will complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," if that person is not regularly employed by the applicant.

Post Award Requirements and Administration

iii) Will require that the language of this certification be included in the award documents for all subawards of more than \$100,000 and that all subrecipients shall certify and disclose accordingly.

### Freedom of Information Act (FOIA) Notice

**Disclosure Notice:** The National Endowment for the Arts (NEA) may share a copy of awarded applications and/or related materials submitted to the NEA by the applicants, with the public or other third parties, where required or permitted by law.

### Standards for Service

The NEA has set the following standards for serving applicants. We pledge to:

- Treat you with courtesy and efficiency.
- Respond to inquiries and correspondence promptly.
- Provide clear and accurate information about our policies and procedures.
- Provide timely information about funding opportunities and make guidelines available promptly.
- Ensure that all eligible applications are reviewed thoughtfully and fairly.

We welcome your comments on how we are meeting these standards. Email: <a href="webmgr@arts.gov">webmgr@arts.gov</a>, attention: Standards for Service. For questions about these guidelines or your application, see <a href="Agency Contacts">Agency Contacts</a>. In addition, applicants may receive an invitation to participate in a voluntary survey to provide feedback on the grant application guidelines on our website and any experiences consulting with our staff.

# **Paperwork Reduction Act Statement**

The public reporting burden for this collection of information is estimated at an average of 26 hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. We welcome any suggestions that you might have on improving the guidelines and making them as easy to use as possible. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to: <a href="webmgr@arts.gov">webmgr@arts.gov</a>, attention: Reporting Burden. Note: Applicants are not required to respond to the collection of information unless it displays a currently valid U.S. Office of Management and Budget (OMB) control number.

ALN 45.024

OMB No. 3135-0112 Expires 10/31/25

#### **Frequently Asked Questions**

<u>America250-Related Projects</u> | <u>Late or Incomplete Applications</u> | <u>Eligibility and Allowable</u> <u>Activities/Costs</u> | <u>Subgranting</u> | <u>Competitive Projects</u> | <u>Period of Performance</u> | <u>Other federal</u> funding

#### America250-Related Projects

# Does my grant application have to include an America250-related project in order to receive funding this year?

No. We are encouraging, but not requiring, applicants to consider celebrating and honoring America250 as part of their project activities. We will certainly continue to fund projects that do not include an America250 focus or related programming.

#### What is an America250-related project?

For applicants that choose to focus on this milestone, we are interested in projects that celebrate and honor the nation's rich artistic and cultural heritage as part of America250. For example, projects could examine the work of American artists, present or create art recognizing this important milestone, or undertake educational activities or related programming. We aim to fund a wide range of projects—large and small, in all artistic disciplines, and in communities of all sizes across the country—that celebrate and honor this important milestone.

#### Does my project have to focus entirely on celebrating America250?

No. If you decide to submit an application for America250-related activities, your project may focus exclusively on celebrating and honoring the anniversary, or it may incorporate a special America250-related component or focus within a larger project that you are planning to undertake. For example, an organization applying for a broader musical series might devote a performance or educational activity to celebrating America250.

#### Do all America250-related activities have to take place only in 2026?

No. We recognize that project schedules vary based on your organization's unique needs. As such, America250-related activities can take place anytime during your award's period of performance in 2026-2027.

#### Late or Incomplete Applications

#### We missed the application deadline. Can I submit a late application?

Late, ineligible, and incomplete applications will not be reviewed. Please review the information under <u>Exceptions to the Submission Deadlines</u>.

#### Will you contact me if my application is missing anything?

No. Because of the volume of applications, the NEA has a strict approach to incomplete applications. For your application to be considered complete, every required item MUST be

#### **GAP FY26 Grant Program Details**

**FAQs** 

included in your application, which must be submitted no later than the application deadline date. **NEA staff will not contact applicants to request missing material**. Do not wait until the day of the deadline to submit! The NEA suggests setting an internal application deadline for your organization that is 24-48 hours before the actual application deadline.

# If my application is determined to be incomplete, may I add the missing item(s) and resubmit the application?

No. An organization cannot add missing items and resubmit the application after the application deadline.

#### Eligibility and Allowable Activities/Costs

#### Can federally recognized tribes apply?

Yes. In keeping with federal policies of <u>Tribal Self Governance</u> and <u>Self-Determination</u>, we may provide support for a project with a primary audience restricted to enrolled members of a federally recognized tribe. Applicants (federally recognized tribal governments, non-profits situated on federally recognized tribal lands, or other non-profits whose mission primarily serves federally recognized tribal enrollees) should consult with <u>NEA staff</u> to verify their eligibility before preparing an application.

#### Can non-federally recognized tribes apply?

Yes, if the applicant is a non-profit, tax-exempt 501(c)(3), U.S. organization. Projects for non-federally recognized tribes and indigenous groups may be supported, but project participation can't be restricted to only tribal members.

#### Can Native Hawaiian groups apply?

Yes, if the applicant is a non-profit, tax-exempt 501(c)(3), U.S. organization. Projects for Native Hawaiians may be supported, but project participation can't be restricted to only Native Hawaiians.

Our project may need updated technology to support quality virtual programming. To what extent can these costs be included in the project budget, and do we need to differentiate between supplies or equipment costs?

You can apply for costs related to updated technology if they support the proposed project activities. Costs could include:

- Equipment, purchase or rental
- Hardware
- Software, e.g., timed ticketing software
- Increased bandwidth
- Streaming subscriptions
- Specialized audio-visual equipment for performers

#### **GAP FY26 Grant Program Details**

**FAQs** 

The distinction between supplies and equipment is determined by cost and useful life. A justification for the cost is required in some cases.

If you intend to purchase equipment that costs \$10,000 or more per item with an estimated useful life of more than one year, clearly identify the equipment and you will need to provide a justification for this expenditure either in the Project Budget form or in your narrative.

Digital devices or other technologies are considered supplies if they are less than \$10,000 per item, regardless of the length of useful life, and no additional justification is required.

# Can my project budget include the cost of open or closed captions or sign language interpretation for virtual events?

Yes.

#### How can I make sure that my project is in compliance with Federal civil rights laws?

Projects may reach a particular group or demographic (such as sex, disability, economic status, race, color, or national origin, including limited English proficiency), however, projects may not be exclusionary under Federal civil rights laws and policies prohibiting discrimination. This nondiscrimination requirement extends to hiring practices, artist selection processes, and audience engagement. Your application should make it clear that project activities are not exclusionary. Please review the <a href="Assurance of Compliance">Assurance of Compliance</a> which outlines the relevant federal statutes, NEA regulations, and executive orders.

#### Can my partner organizations also apply for NEA funds to support our collaborative work?

A partnering organization may apply for funds to support a joint effort but there can be no overlapping project costs or activities between the applications. For example, if you are a dance company, and you are applying for the development of a new work and a presenting organization/theater is also applying for a residency/performance project that includes your company and the presentation of the new work, you must ensure that the costs are kept separate. You cannot include as cost share/match any income derived from a federal grant made to another entity (e.g., if a presenter includes your artist fees as an expense in their budget, you cannot use that as income in your own budget). You should communicate closely with your partners to be sure that you are each clear on the division of costs and activity between the applications.

# Can my organization submit an additional application in the GAP category through the Film & Media Arts discipline for the July deadline?

No. Organizations may submit only one application to the FY 2026 Grants for Arts Projects program (i.e., one application per calendar year) with limited exceptions made only for Parent (and Related) Organizations. The NEA limits the number of applications an organization may submit to ensure that our award funds extend to a variety of organizations, including first-time applicants and organizations serving communities of all sizes.

Although there is no longer the opportunity to submit an additional application through the Film & Media Arts discipline for the July deadline, the NEA remains committed to supporting existing and new technology-centered creative practices across all artistic disciplines and forms.

The NEA will continue to accept applications for projects that support this work in any relevant artistic discipline within the GAP category.

## In the past my organization submitted an additional application to Film & Media Arts, what should we do for FY26?

The NEA recommends that you either focus your application on activities appropriate for the Film & Media Arts program, **or** apply to one of the other disciplines for a project that suits their accepted project types. Many of the other disciplines accept projects that utilize technology-centered creative practices, as well as build arts organization's capacity to serve a broad public by providing access, training, and other resources to engage with digital technologies. You can read more about what kinds of projects are accepted by reviewing the individual discipline instructions documents. If you have questions, we encourage you to <u>contact NEA staff</u>.

#### Subgranting

# The "Unallowable Activities/Costs" section says that subgranting is not allowed. What is subgranting?

Subgranting is defined as regranting funds to an organization for activities that are conducted independently of your organization and for the benefit of the subrecipients' own program objectives. A subrecipient is not directly affiliated with your organization. Examples of subgranting include:

- Payment to an organization to obtain training or technical assistance for their own benefit with little or no involvement from your organization.
- Production funds awarded to an organization through a competitive review process with little or no subsequent involvement from your organization.
- Emergency relief funding for housing or food.

Congress prohibits the NEA from making awards for subgranting activity, with exceptions only for state arts agencies, regional arts organizations, and local arts agencies designated to operate on behalf of local governments.

Designated local arts agencies are eligible to apply for subgranting through the Local Arts Agencies discipline of the Grants for Arts Projects category. Designated local arts agencies must meet additional eligibility requirements, provide additional documentation in the application, and follow additional reporting and compliance requirements. Designated local arts agencies are encouraged to contact <u>Local Arts Agencies staff</u> to discuss eligibility and application requirements when preparing a subgranting application.

#### **GAP FY26 Grant Program Details**

**FAQs** 

My organization wants to apply for support of its apprenticeship program. How can I clarify in my application that my project does not include awarding subgrants even though my budget may include fees to individual artists?

The key to avoiding the appearance of subgranting is the involvement of your organization in carrying out the project activities. For example, an apprenticeship program might include fees paid to artists. These fees are not considered subgranting if your organization provides substantive supervision of and involvement in the mentor-apprentice relationship. This might include:

- Planning a detailed description of the individual master-apprentice course of study.
- Monitoring and evaluating the progress of the activity including conducting site visits.
- Documenting apprenticeship activities including reports from masters and apprentices.
- Arranging public exhibition or performance opportunities for masters and apprentices.
- Archiving material related to the apprenticeships and publicly distributing information about the apprenticeship program and its activities.

Note that simply "checking in" on the activity, including obtaining progress and final reports, does not qualify as substantive involvement in the project.

You can provide evidence of your organization's substantive involvement in the project through project-related information on your website, announcements and evaluations of public events, and archival documentation.

#### **Competitive Projects**

#### Does my project have to be new? Does it have to be big?

No. Projects do not have to be new. Existing projects can be just as competitive as new activities. Projects do not need to be big either; the NEA welcomes small and medium-sized projects that can make a difference in their community or field.

#### Does my project have to be outside the scope of my regular programming?

No. A project can be a part of an applicant's regular season or activity.

#### Can I apply for more NEA funding for a project supported by an earlier grant?

Yes. If you have previously received a grant to support an earlier phase of a project, you *may* reapply to the NEA for additional funding to support a later phase. However, each application must clearly describe the specific phase of work to be supported, and there can be NO overlapping project costs or activity between the awards.

#### Period of Performance (Support)

#### How soon after the "Earliest Start Date" for my deadline does my project have to begin?

The NEA's support can start any time on or after that date.

#### Can my project start before this date?

No. Proposed project activities for which you're requesting support cannot take place before this date. You may only request that the NEA fund the portion of your project that will take place after the "Earliest Start Date."

#### How long can my project last? May I apply for another project during this period?

The NEA generally allows a period of performance of up to two years. Many applicants request a period of performance somewhere between 12 and 24 months. The two-year period is intended to allow an applicant sufficient time to plan, execute, and close out its project, not to repeat a one-year project for a second year.

Generally, an organization may apply to the NEA for another project (with totally different project costs) the following year even if a previous NEA-supported project is still underway. You are responsible for ensuring that there are no overlapping costs or activities between the projects. Note that this may affect when you can start your new proposed project.

#### Other federal funding

# Can our organization use funds we received from other federal agencies as cost share/match for an NEA grant?

No. Federal funds may not be used as cost share/match for other federal grants. This may include funding from the Paycheck Protection Program and Shuttered Venues Operators Grants (SVOG) from the Small Business Administration (SBA), as well as other federal funding, from:

- AmeriCorps
- Institute of Museum and Library Services
- National Endowment for the Humanities
- National Park Service
- National Science Foundation
- U.S. Department of Agriculture
- U.S. Department of Education (e.g., 21st Century Community Learning Centers)
- U.S. Department of Housing and Urban Development
- Or an entity that receives federal appropriations such as the Corporation for Public Broadcasting or Amtrak

# Can my organization use funds we have received from a Regional Arts Organization (RAO), State Arts Agency (SAA), or Local Arts Agency (LAA) as part of the cost-share/match for an NEA grant?

Yes, if those funds *did not* originate at the federal level from the NEA or another federal agency (such the ones listed above). Your program officer at the RAO, SAA, or LAA will be able to tell you if the award you received from them includes any federal funds. It is up to you to ascertain the source of funding. When completing your project budget, be sure to indicate that these funds are non-federal.

## **EXHIBIT 2**



Menu

# Legal Requirements and Assurance of Compliance

# **Legal Requirements**

NOTE: This list highlights some of the significant legal requirements that may apply to an applicant or recipient; however, it is not exhaustive. More information regarding these and other legal requirements may be found at Appendix A of the General Terms & Conditions </node/45296>, which set forth the National Policy and Other Legal Requirements, Statutes, Regulations, and Executive Orders that Govern Your Award. There may be other applicable legal requirements that are not listed in this document. It is ultimately your responsibility to ensure that you are compliant with all legal, regulatory, and policy requirements applicable to your award.

1. By law, the National Endowment for the Arts may support only those organizations:

- **That are tax-exempt**. Organizations qualifying for this status must meet the following criteria:
  - 1. No part of net earnings may benefit a private stockholder or individual.
  - 2. Donations to the organization must be allowable as a charitable contribution under Section 170(c) of the Internal Revenue Code of 1954, as amended.
  - For further information, go to the Internal Revenue Service's (IRS) website <a href="http://www.irs.gov">http://www.irs.gov</a>.
- Who have not had their IRS status revoked. It is your responsibility to ensure that your status is current at the time of the application and throughout the life of your award.
- That compensate all professional performers and related or supporting professional personnel on National Endowment for the Arts-supported projects at no less than the prevailing minimum compensation. (This requirement is in accordance with regulations that have been issued by the Secretary of Labor in 29 CFR Part 505 <a href="http://www.gpo.gov/fdsys/pkg/cfr-1998-title29-vol3/pdf/cfr-1998-title29-vol3-chap-id2.pdf">http://www.gpo.gov/fdsys/pkg/cfr-1998-title29-vol3/pdf/cfr-1998-title29-vol3-chap-id2.pdf</a>. This part does not provide information on specific compensation levels.)

 That ensure that no part of any National Endowment for the Arts-supported project will be performed under or engaged in working conditions which are unsanitary, hazardous, or dangerous to the health and safety of the employees involved.

#### 2. Some legal requirements apply to every applicant. For example:

- Compliance with the federal requirements that are outlined in the Assurance of Compliance below
- Debarment and Suspension procedures. The applicant must comply with requirements set forth in Subpart C of 2 CFR 180, as adopted by the National Endowment for the Arts in 2 CFR Part 3254. Failure to comply may result in the debarment or suspension of the recipient, and the National Endowment for the Arts suspending, terminating, and/or recovering the funds. More information on Debarment and Suspension procedures can be found in the GTCs.
- Federal Debt Status (OMB Circular A-129

<a href="https://www.whitehouse.gov/wp-">https://www.whitehouse.gov/wp-</a>

content/uploads/legacy\_drupal\_files/omb/circulars/a129/a-129.pdf>). Processing of applications will be suspended when applicants are delinquent on federal tax or non-tax debts, including judgment liens against property for a debt to the federal government. An organization's debt status is displayed in the System for Award Management (SAM). New awards will not be made if an applicant is still in debt status as of September 1 of the fiscal year listed on this funding opportunity.

#### • Labor Standards (29 CFR Part 505

<a href="https://www.govinfo.gov/app/details/cfr-2023-title29-vol3/cfr-2023-title29-vol3-part505">https://www.govinfo.gov/app/details/cfr-2023-title29-vol3/cfr-2023-title29-vol3-part505</a>). Recipients must comply with the standards set out in Labor Standards on Projects or Productions Assisted by Grants from the National Endowments for the Arts.

• The Drug-Free Workplace Act of 1988

<a href="https://www.govinfo.gov/content/pkg/uscode-2020-title41/html/uscode-2020-title41-subtitleiv-chap81-sec8103.htm">https://www.govinfo.gov/content/pkg/uscode-2020-title41/html/uscode-2020-title41-subtitleiv-chap81-sec8103.htm</a> (41 U.S.C. 8101 et seq. and 2 CFR Part 3256). The recipient is required to publish a statement regarding its drug-free workplace program as well as to comply with other requirements.

# 3. Some legal requirements apply depending upon what activity the award is funding. For example:

- If your project activities have the potential to impact any structure that is eligible for or on the National Register of Historic Places, adjacent to a structure that is eligible for or on the National Register of Historic Places, or located in an historic district, you will be asked to provide additional information about your project or take additional action so that the agency can review and comply with the National Historic Preservation Act <a href="https://www.achp.gov/protecting-historic-properties">https://www.achp.gov/protecting-historic-properties</a> (NHPA). NHPA also applies to any planning activities that may affect historic properties or districts. The additional agency review must be completed prior to any agency funds being released.
- If your project activities have the potential to impact the environment or environmentally sensitive resources, you will be required to provide information in accordance with the National Environmental Policy Act <a href="https://www.epa.gov/laws-regulations/summary-national-environmental-policy-act">https://www.epa.gov/laws-regulations/summary-national-environmental-policy-act</a> (NEPA). The additional agency review must be completed prior to any agency funds being released.

- If your project activities include any contract over \$2,000 involving the construction, alteration, or repair of public buildings or public works, the contract must contain a clause setting forth the minimum wages to be paid to laborers and mechanics employed under the contract in accordance with The Davis-Bacon and Related Acts (DBRA). More information on DBRA can be found in the GTCs </node/45296> under the "Other National Policies" heading.
- Projects or programs that are determined to be obscene are without artistic merit and shall not be funded. 20 USC 952(j)-(l); 20 USC 954(d),(l).
- 4. Some legal requirements apply depending upon who the applicant is. For example:

 The Native American Graves Protection and Repatriation Act of 1990 (25 U.S.C. 3001 et seq.) applies to any organization that controls or possesses Native American cultural items, such as human remains or associated funerary objects and receives
 Federal funding, even for a purpose unrelated to the Act.

# 5. In addition, State Arts Agencies must meet the requirements in Section 954(g)(2) of the National Endowment for the Arts' authorizing legislation, which state:

"In order to receive assistance under this subsection in any fiscal year, a State shall submit an application for such grants at such time as shall be specified by the Chairperson and accompany such applications with a plan which the Chairperson finds—

- (A) designates or provides for the establishment of a State agency (hereinafter in this section referred to as the "State agency") as the sole agency for the administration of the State plan;
- (B) provides that funds paid to the State under this subsection will be expended solely on projects and productions approved by the State agency which carry out one or more of the objectives of subsection (c);
- (C) provides that the State agency will make such reports, in such form and containing such information, as the Chairperson may from time to time require, including a description of the progress made toward achieving the goals of the State plan;
- (D) provides—
- i. assurances that the State agency has held, after reasonable notice, public meetings in the State to allow all groups of artists, interested organizations, and the public to present views and make recommendations regarding the State plan; and

- ii. a summary of such recommendations and the State agency's response to such recommendations; and
- (E) contains--
- i. a description of the level of participation during the most recent preceding year for which information is available by artists, artists' organizations, and arts organizations in projects and productions for which financial assistance is provided under this subsection;
- ii. for the most recent preceding year for which information is available, a description of the extent projects and productions receiving financial assistance from the State arts agency are available to all people and communities in the State; and
- iii. a description of projects and productions receiving financial assistance under this subsection that exist or are being developed to secure wider participation of artists, artists' organizations, and arts organizations identified under clause (i) of this subparagraph or that address the availability of the arts to all people or communities identified under clause (ii) of this subparagraph.

No application may be approved unless the accompanying plan satisfies the requirements specified in this subsection."

# **Assurance of Compliance**

By signing and submitting its application form on Grants.gov, the applicant certifies that it is in compliance with the statutes outlined below and all related National Endowment for the Arts regulations as well as all applicable executive orders, and that it will maintain records and submit the reports that are necessary to determine its compliance.

We may conduct a review of your organization to ensure that the applicant is in compliance with these statutes, regulations, and executive orders. If the NEA determines that a recipient has failed to comply with any of these statutes, regulations, or executive orders, it may suspend or terminate the award, and/or recover the funds. The applicant's assurance of compliance is subject to judicial enforcement.

The applicant certifies that it does not discriminate:

- On the grounds of race, color, or national origin, in accordance with **Title VI of the Civil Rights Act of 1964**, as amended (42 U.S.C. 2000d et seq.), implemented by the National Endowment for the Arts at 45 CFR 1110.
- Solely on the grounds of disability, in accordance with **Section 504** of the Rehabilitation Act of 1973 (29 U.S.C. 794), as amended, implemented by the National Endowment for the Arts at 45 CFR 1151, and the **Americans with Disabilities Act of 1990** ("ADA"), as amended, (42 U.S.C. 12101 et seq.).

- On the basis of age, in accordance with the **Age Discrimination Act of 1975,** as amended (42 U.S.C. 6101 et seq.), implemented by the National Endowment for the Arts at 45 CFR 1156.
- On the basis of sex, in any education program or activity, in accordance with **Title IX of the Education Amendments of 1972**, as amended (20 U.S.C. 1681 et seq.).

In addition, the applicant agrees that, if the applicant is selected and becomes a NEA grant recipient:

- The applicant will comply with all applicable Executive Orders while the award is being administered. Executive orders are posted at whitehouse.gov/presidential-actions.
- The applicant's compliance in all respects with all applicable Federal anti-discrimination laws is material to the U.S. Government's payment decisions for purposes of section 3729(b)(4) of title 31, United States Code, pursuant to Executive Order No. 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, dated January 21, 2025. PLEASE NOTE: Due to the preliminary injunction issued on February 21, 2025, by the United State District Court for the District of Maryland, Case No. 1:25-cv-00333-ABA, the NEA is not currently requiring any grantee or contractor to make any "certification" or other representation pursuant to Executive Order No. 14173. This term will not apply to your award as long as this preliminary injunction remains in effect.

- The applicant will not operate any programs promoting "diversity, equity, and inclusion" (DEI) that violate any applicable Federal anti-discrimination laws, in accordance with Executive Order No. 14173. PLEASE NOTE: Due to the preliminary injunction issued on February 21, 2025, by the United State District Court for the District of Maryland, Case No. 1:25-cv-00333-ABA, the NEA is not currently requiring any grantee or contractor to make any "certification" or other representation pursuant to Executive Order No. 14173. This term will not apply to your award as long as this preliminary injunction remains in effect.
- The applicant understands that federal funds shall not be used to promote gender ideology, pursuant to Executive Order No. 14168,
   Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government.

The applicant will inform the public that persons who believe they have been discriminated against on the basis of race, color, national origin, disability, sex, or age may file a complaint with the Director of Civil Rights at the National Endowment for the Arts.

The applicant will forward all complaints for investigation and any finding issued by a Federal or state court or by a Federal or state administrative agency to:

Director, NEA Office of Civil Rights

Email: civilrights@arts.gov

The applicant shall maintain records of its compliance and submission for three (3) years. The applicant will compile, maintain and permit access to records as required by applicable regulations, guidelines or other directives.

The applicant must also certify that it will obtain assurances of compliance from all subrecipients and will require all subrecipients of National Endowment for the Arts funds to comply with these requirements.

The United States has the right to seek judicial or administrative enforcement of this assurance.

# Stay Connected to the National Endowment for the Arts

Sign up for our newsletters and magazine

Newsletter Signup </signup-for-updates> Magazine Signup </form/sign-up-foramerican-artscape-magazine>

## **EXHIBIT 3**



Menu

# National Endowment for the Arts Supports the Arts with Nearly \$36.8 Million in Funding Nationwide

Jan 14, 2025



NEA Grants for Arts Projects awardee photos (clockwise beginning in upper left): Students participate in Northern Arizona University's Indigenous Youth Media Workshop, Summer 2024. Photo courtesy of Northern Arizona University; Iris Musicians perform during the finale of the Weinberg Manor's 2024 Music Festival. Weinberg Manors is an affordable housing community for low-income older adults in Baltimore City. Photo by Lori Raphael; Territory design team members and community partners at the ribbon cutting for Creating Space, a public space created by youth to explore design as a tool for community healing. Photo courtesy of Territory NFP; A group of Arts Institute for Creative Advancement apprentices hard at work as captured by their instructor during Capitol Hill Arts Workshop's weekly scenic shop training. Photo by Reuben Rosenthal c/o Arts Institute for Creative Advancement.

En Español </sites/default/files/fy25-january-grant-announcement-spanish.pdf>

Washington, DC—The National Endowment for the Arts (NEA) is pleased to announce 1,474 awards totaling \$36,790,500 to support the arts in communities in all 50 states, Puerto Rico, and Washington, DC. Funding for organizations is recommended in the categories of Grants for Arts Projects, Challenge America, Research Grants in the Arts, and Research Labs, and for individuals through Literature Fellowships in creative writing and for translation projects.

"The NEA is proud to continue our nearly 60 years of supporting the efforts of organizations and artists that help to shape our country's vibrant arts sector and communities of all types across our nation," said NEA Chair Maria Rosario Jackson, PhD. "It is inspiring to see the wide range of creative projects taking place—those that address our past and help us consider our future, integrate arts and culture in new ways into our lives and communities, and provide powerful opportunities for people throughout our nation to come together through a shared arts experience."

- View a state-by-state listings
   <a href="https://www.arts.gov/sites/default/files/fall2024\_statelistreport\_updated\_jan14.pdf">https://www.arts.gov/sites/default/files/fall2024\_statelistreport\_updated\_jan14.pdf</a> of the grants announced in this release.
- View a listing of awards by discipline / grant category
   <a href="https://www.arts.gov/sites/default/files/fall2024\_disciplinelistreport.pdf">https://www.arts.gov/sites/default/files/fall2024\_disciplinelistreport.pdf</a>
- All current grants and additional project details can be viewed through the recent grant search <a href="https://apps.nea.gov/grantsearch/">https://apps.nea.gov/grantsearch/</a>

Each year, the NEA assembles panels of experts and knowledgeable laypeople with relevant expertise and experience to review NEA applications and rate them in accordance with published review criteria. More than 340 panelists <a href="https://www.arts.gov/grants/recent-grants/panelists">https://www.arts.gov/grants/recent-grants/panelists</a> reviewed the eligible applications for this round of funding. Recommendations were then presented to the National Council on the Arts <a href="https://www.arts.gov/about/leadership-staff/national-council-arts">https://www.arts.gov/about/leadership-staff/national-council-arts</a>. The council made its recommendations to the NEA Chair, who made the final decision on all grant awards. Learn more about the grant review process <a href="https://www.arts.gov/grants/grant-review-process">https://www.arts.gov/grants/grant-review-process</a> Or volunteer to be a panelist <a href="https://www.arts.gov/form/volunteer-to-be-a-national-endowment-for-the-arts-panelist">https://www.arts.gov/form/volunteer-to-be-a-national-endowment-for-the-arts-panelist</a>.

#### **Grants for Arts Projects**

Grants for Arts Projects (GAP) provides expansive funding opportunities to strengthen the nation's arts and cultural ecosystem, including opportunities for public engagement with the arts and arts education, for the integration of the arts with strategies promoting

the health and well-being of people and communities, and for the improvement of overall capacity and capabilities within the arts sector.

The National Endowment for the Arts received 2,195 eligible Grants for Arts Projects applications this round, which were submitted in February 2024. The NEA will award **1,127 grants for a total of \$31,825,500** to support arts projects in 15 artistic disciplines and fields. All grants require a nonfederal cost share/match of at least 1 to 1. Examples include:

- A local arts agencies subgranting award to **Arrowhead Regional Arts Council** in **Duluth, Minnesota**, of \$60,000 to support the expansion of competitive grant programs for arts organizations and individual artists. The Art Project Grant program will support arts activities presented by small organizations with a focus on applicants from rural areas. The Individual Artist Project Grant program will provide a stipend for artists to create, perform, or exhibit work.
- An award to **Artist Communities Alliance** in **Providence**, **Rhode Island**, of \$80,000 to support a professional development program for the artist residency field focused on emergency preparedness and disaster response. The program will include workshops, training sessions, and the development of resources to share with the broader field.

- An award to **Arts Alive!** in **Keene, New Hampshire**, of \$25,000 to support the conceptual design of a new community arts center. The design process will engage artists, designers, and individuals from Keene and across the rural Monadnock Region, to share ideas and desires for a community arts center that will include studios, music practice rooms, residences, workshop/classroom space, gallery space, office spaces, and more.
- An award to Great Plains Theatre Commons in Omaha, Nebraska,
   of \$35,000 to support the annual New Play Conference.
   Playwrights, actors, directors, dramaturgs, and designers from
   across the United States will gather for learning, collaboration,
   rehearsals, readings, and performances.
- An award to the **Iris Music Project Inc** in **Columbia, Maryland**, of \$20,000 to support chamber ensemble performances in underserved healthcare communities. Weekly music programs will be developed in collaboration with musicians and residents at senior living facilities. As part of America 250, a culminating event focusing on the question, "What does it mean to be American?" will provide an opportunity for individuals to share—through stories, songs, and art—their diverse and unique perspectives on their personal and collective histories.

- An award to Miami Lighthouse for the Blind and Visually Impaired, Inc in Miami, Florida, of \$30,000 to support a year-round arts education program for underserved groups, including individuals with vision disabilities. Tactile and visual arts activities in various mediums aim to enhance sensory perception, fine motor skills, spatial awareness, and overall well-being. Art instruction will be tailored to participants' unique visual needs, empowering them to create art in an inclusive setting with access accommodations and adaptive equipment.
- An award to **Northern Arizona University** in **Flagstaff, Arizona**, of \$25,000 to support the Indigenous Youth Media Workshop.

  Through mentorship by accomplished filmmakers, journalists, and photographers, high school students will participate in a comprehensive hands-on media arts production program focused on telling stories important to their communities.

This year's Grants for Arts Projects application deadlines are

Thursday, February 13, 2025, and Thursday, July 10, 2025. Each

discipline has outlined their broader arts ecosystem, the types of
projects they encourage, and guidance on characteristics of
competitive proposals. Visit arts.gov <a href="https://www.arts.gov/grants/grants-for-arts-projects">https://www.arts.gov/grants/grants-for-arts-projects</a> for guidelines and application resources

<a href="https://www.arts.gov/grants/grants-for-arts-projects/applicant-resources">https://www.arts.gov/grants/grants-for-arts-projects/applicant-resources</a>, including
an on demand video of the FY 2026 Grants for Arts Projects
guidelines webinar.

#### **Challenge America**

Challenge America grants are awarded in all artistic disciplines and offer support primarily to small organizations for a wide variety of arts projects that extend the reach of the arts underserved groups and communities that may have limited access to the arts relative to geography, ethnicity, economic status, and/or disability. This includes communities that have limited grant funding opportunities and/or have been underserved by national arts funding; small organizations that may face barriers to accessing grant funding; and organizations that may benefit from enhanced technical assistance resources. This program is often an entry point for organizations that are new to applying for federal funding.

The National Endowment for the Arts reviewed 563 eligible applications for Challenge America funding this year, which were submitted in April 2024, and will award **272 grants for a total of \$2,720,000**. Each grant is for \$10,000 and requires a minimum \$10,000 cost share/match. Examples include:

An award to Maryland Youth Ballet in Silver Spring, Maryland, to support dance classes for children with physical and developmental disabilities. Weekly classes are led by specially trained ballet instructors and a pediatric physical therapist.
 Together, they work with children who are able to walk without assistance as well as those who are supported by wheelchairs, walkers, or other mobility aids.

- An award to Prison Performing Arts in Saint Louis, Missouri, to support the development and presentation of a new play adaptation of "Little Women" by Louisa May Alcott created in collaboration with incarcerated artists. Playwright Courtney Bailey will work with the artists to develop this new play during their weekly spoken word class for inmates.
- An award to Three Rivers Arts Council in Wahpeton, North
   Dakota, to support a Native artists residency program that will
   engage students and the public through Native arts, music, and
   storytelling. NEA National Heritage Fellow Bryan Akipa and other
   artists will give performances, visit classrooms, and participate in
   other activities in the community.

The next Challenge America application deadline is **Thursday, April 24, 2025**. Visit arts.gov <a href="https://www.arts.gov/grants/challenge-america">https://www.arts.gov/grants/challenge-america</a> for guidelines and application resources and register for the FY26 Challenge America guidelines webinar <a href="https://www.arts.gov/news/events/fy26-challenge-america-guidelines-webinar">https://www.arts.gov/news/events/fy26-challenge-america-guidelines-webinar</a> on Wednesday, February 27, 2024, from 3:00–4:00 p.m. ET.

#### **Research Awards**

The NEA has two research grant opportunities for projects that engage with the NEA's five-year research agenda

<a href="https://www.arts.gov/sites/default/files/nea-research-agenda-12.21\_revdec2024.pdf">https://www.arts.gov/sites/default/files/nea-research-agenda-12.21\_revdec2024.pdf</a>.

**Research Grants in the Arts** supports research studies that investigate the value and/or impact of the arts, either as individual components of the U.S. arts ecosystem or as they interact with each

other and/or with other domains of American life. In total, the NEA will award **18 organizations grants totaling \$1,045,000**. Recent examples include:

- An award to American Symphony Orchestra League (aka League of American Orchestras) in New York of \$45,000 to support a mixed-methods study examining business practices and financial strategies implemented by nonprofit orchestras after the COVID-19 pandemic.
- An award to Carnegie Mellon University in Pittsburgh,
   Pennsylvania, of \$80,000 for a study examining university
   students' creative practices with artificial intelligence (AI), for the purpose of informing arts-integrative secondary education.
- An award to Robert W. Woodruff Arts Center, Inc. (aka High Museum of Art) in Atlanta, Georgia, of \$80,000 to support a mixed-methods study of the relationship between visiting an art museum and individual well-being across various adult populations.

In addition, the NEA also supports **NEA Research Labs**—these are grounded in the social and behavioral sciences and support transdisciplinary research teams investigating the value and impact of the arts for the benefit of both the arts and non-arts sectors.

There are currently 29 active Research Labs

<a href="https://www.arts.gov/initiatives/nea-research-labs">https://www.arts.gov/initiatives/nea-research-labs</a>.

This year's Research Labs and Research Grants in the Arts application deadline is **Monday March 24, 2025**. Visit arts.gov for guidelines and application resources and register for a Research Grants in the Arts webinar on Tuesday, February 4, 2025, from 2:00–3:00 p.m. ET.

#### **Literature Fellowships**

Fellowships help writers and translators to create new work and thus expand the portfolio of literary art available to American audiences. These fellowships allow recipients to set aside time for writing, research, travel, and general career advancement.

This year's Creative Writing Fellowships are in poetry. These fellowships are highly competitive, with more than 2,000 eligible applications received for FY 2025. The NEA will award **35 Creative**Writing Fellowships of \$25,000 each, totaling \$875,000. You can read more about the recipients in the Creative Writing Fellowships <a href="https://www.arts.gov/impact/literary-arts/creative-writing-fellows">https://www.arts.gov/impact/literary-arts/creative-writing-fellows</a> section of arts.gov. The next deadline for Creative Writing Fellowships <a href="https://www.arts.gov/grants/creative-writing-fellowships">https://www.arts.gov/grants/creative-writing-fellowships</a> is Wednesday, March 12, 2025, and will be for prose (fiction and creative nonfiction).

The NEA will award **Translation Fellowships to 22 translators** ranging from \$10,000 to \$20,000 totaling \$325,000 to translate works from 17 languages and 21 countries into English, including books from Guinea, Mali, and the Philippines, countries not previously represented through an NEA fellowship. You can read

more about these translators and their projects in the Translation Fellowships <a href="https://www.arts.gov/impact/literary-arts/translation-fellows">https://www.arts.gov/impact/literary-arts/translation-fellows</a> section of arts.gov.

Please note, there may be a delay in the distribution of awards as the NEA and all of the federal government are operating under a continuing budget resolution. For more information on all NEA's grant opportunities, including 2025 deadlines, and resources for applicants and awardees, including a guide for first-time applicants, visit the Grants section <a href="https://www.arts.gov/grants">https://www.arts.gov/grants</a> of arts.gov.

# About the National Endowment for the Arts

#### **About the National Endowment for the Arts**

Established by Congress in 1965, the National Endowment for the Arts is an independent federal agency that is the largest funder of the arts and arts education in communities nationwide and a catalyst of public and private support for the arts. By advancing opportunities for arts participation and practice, the NEA fosters and sustains an environment in which the arts benefit everyone in the United States. To learn more, visit arts.gov <a href="https://www.arts.gov/">https://www.arts.gov/</a> or follow us on Facebook <a href="https://www.facebook.com/nationalendowmentforthearts">https://www.facebook.com/nationalendowmentforthearts</a>, Instagram

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Mar 04, 2025

Feb 06, 2025

### **EXHIBIT 4**



Menu

# Updates on National Endowment for the Arts FY 2026 Grant Opportunities

Feb 06, 2025

The updated FY 2026 Grants for Arts Projects guidelines <a href="https://www.arts.gov/grants/grants-for-arts-projects">https://www.arts.gov/grants/grants-for-arts-projects</a>, as well as accompanying Frequently Asked Questions

<a href="https://www.arts.gov/grants/grants-for-arts-projects/frequently-asked-questions-0">https://www.arts.gov/grants/grants-for-arts-projects/frequently-asked-questions-0>, are now available on arts.gov.

The National Endowment for the Arts is updating its FY 2026 grant guidelines, with deadlines in March and July 2025. These changes impact organizations applying in the Grants for Arts Projects or

Challenge America categories; please see below for pertinent details.

#### **Challenge America**

The Challenge America opportunity is canceled for FY 2026.

Organizations that have applied or were planning to apply to the FY 2026 Challenge America grant opportunity are encouraged to apply to the Grants for Arts Projects category at the March or July deadlines instead.

This change is to focus NEA staff resources on the Grants for Arts Projects category.

#### **Grants for Arts Projects**

The National Endowment for the Arts is revising the FY 2026 Grants for Arts Projects guidelines and they will be available on arts.gov/grants </node/44866> no later than Monday, February 10, 2025.

As part of these changes, the February 13, 2025, Grants for Arts Projects deadline has been canceled. The FY 2026 deadlines are now March 11, 2025, for GAP 1 and July 10, 2025, for GAP 2. Organizations that have already submitted an application must submit a new application under one of these deadlines.

Under the updated guidelines, the NEA continues to encourage projects that celebrate the nation's rich artistic heritage and creativity by honoring the semiquincentennial of the United States of

America (America250). This can include incorporating an America250-related component or focus within a larger project.

Additional changes to the Grants for Arts Projects guidelines include a requirement for applicants to have completed a five-year history of arts programming prior to the application deadline. If arts programming was suspended due to the pandemic, applicants may include examples that occurred in 2018 or 2019 to meet the five-year requirement. Do not include examples prior to 2018. Virtual programming is acceptable. Organizations may no longer submit applications in the same fiscal year for both Grants for Arts Projects and Our Town funding categories (a separate application in the Research Awards category is allowable).

A **webinar** covering the updated guidelines will take on Tuesday, February 18, 2025, at 2:00 p.m. (Free to attend <a href="https://www.arts.gov/news/events/webinar-fy26-grants-arts-projects-application-guidelines">https://www.arts.gov/news/events/webinar-fy26-grants-arts-projects-application-guidelines</a>. A recording will be posted shortly after the presentation in the Applicant Resources section of the Grants for Arts Projects webpage.) In addition, frequently asked questions will be available in the Applicant Resources section.